

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND

Courtney Scott Fontes

Edwin McGill

(Please write your full name)

-v-

Matthew Kettle - warden

Walter Duffy - Captain

Steven Cabral - Investigator

Jeffery Aceto - Deputy

(Write the full name of each defendant who is  
being sued. If the names of all the defendants  
cannot fit in the space above, please write "see  
attached" in the space and attach an additional  
page with the full list of names.)

Complaint for a Civil Case

Case No. **CA 16- 419**  
(to be filled in by the Clerk's Office)

Jury Trial: ☒ Yes ☐ No  
(check one)

**I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name Edwin McGill  
 Name Courtney Scott Fontes  
 Street Address R.I.-D.O.C (ACI) P.O. Box 73 MAX security  
 City and County Cranston, R.I. - 02920  
 State and Zip Code Cranston - Providence  
 Telephone Number                     

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

**Defendant No. 1**

Name Matthew Kettle  
 Job or Title warden  
 (if known)  
 Street Address ACI- MAX Security  
 City, State, Zip Code Cranston, R.I. - 02920

**Defendant No. 2**

Name Walker Duffy  
 Job or Title Captain  
 (if known)  
 Street Address ACI MAX Security  
 City, State, Zip Code Cranston R.I. - 02920

**Defendant No. 3**

Name Jeffery Aceto  
 Job or Title Deputy

(if known)

Street Address

City, State, Zip Code

ACT-MAX Security

Cranston, R.I. 02920

Defendant No. 4

Name

Job or Title

(if known)

Street Address

City, State, Zip Code

Steven Cabral

~~ACT~~ investigator

ACT, R.I. D.O.C

Cranston, R.I. 02920

**II. Basis for Jurisdiction**

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check which one applies)*

☒ Federal question

☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

**A. If the Basis for Jurisdiction Is a Federal Question**

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

14th Amendment, (1981)  
Equal Protection Act.

**B. If the Basis for Jurisdiction Is Diversity of Citizenship**

**1. The Plaintiff(s)**

**a. If the plaintiff is an individual**

The plaintiff, (name) Courtney S. Forbes, is a citizen of  
the State of (name) Rhode Island.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

**2. The Defendant(s)**

**a. If the defendant is an individual**

The defendant, (name) Matthew Kettle, is a citizen of  
the State of (name) Rhode Island. Or is a citizen of  
(foreign nation) \_\_\_\_\_.

**b. If the defendant is a corporation**

The defendant, (name) Matthew Kettle, is  
incorporated under the laws of the State of (name)  
Rhode Island, and has its principal place of  
business in the State of (name) Rhode Island. Or is  
incorporated under the laws of (foreign nation)  
\_\_\_\_\_, and has its principal place of  
business in (name) \_\_\_\_\_.

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

**3. The Amount in Controversy**

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

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See Attached  
Page

B.

Attachment To Page (4)

Defendant, name, Walter Duffy, is a Citizen of the  
state of, Rhode Island, or is citizen of  
foreign nation, \_\_\_\_\_.

If the defendant is a corporation.

The defendant name:

Defendant, name, Steven Cabral, is a Citizen of the  
State of, Rhode Island, or is citizen of foreign nation  
\_\_\_\_\_.

Defendant name, Jeffery Aceto, is a Citizen of  
the State of Rhode Island, or is a Citizen of  
foreign nation,

### III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

On 4-27-15, I (Fontes) had sent the Warden a letter about officers violation of the officers code of ethics harassment due to my sexuality. Nothing was never done, After Reporting the Staff. Listed, I started to be called names & being degraded, there has been other inmates put on my enemy list, I have been threatened to write false statements on other inmates including Edwin McGill. I am put in segregation every month for false reasons, I follow the chain of command & I get put in segregation.

I have been listed as a sex offender by staff, my medical information has been given to other inmates. Due to these actions I have been on many different antidepressants & sleep medication. I have tried to commit suicide many times, some days I can't eat nor still sleep. Because of me being afraid of what the next day will bring, my name is ruined do to the information the staff give out some true, & many false. My HIV status is not being kept private, & they the defendants keep me in segregation with not access to legal work. nor take in consideration my appeals. Also not being able to get a job in max security since 2014.

**IV. Relief**

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Mental & Emotional Injury 42 U.S.C.A.  
 To stop putting me into segregation under false  
 Reasons.  
 I am still being locked in segregation from other  
 inmates, I still am not allowed in certain programs.  
 Mental & Emotional injury \$15000.00, Punitive Damages \$15000.00  
 Verbal Abuse, \$15000.00, Ever since this has been happening  
 I feel my life is Ruined & not living for.

**V. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.**

Date of signing: August 1st, 2016.

Signature of Plaintiff

Printed Name of Plaintiff

Courtney Scott Fowles  
Courtney Scott Fowles